

By: Hughes

H.B. No. 1757

Substitute the following for H.B. No. 1757:

By: Macias

C.S.H.B. No. 1757

A BILL TO BE ENTITLED

AN ACT

relating to the obstruction of emergency vehicles at railroad crossings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 471.007(a) and (c), Transportation Code, are amended to read as follows:

(a) A railway company commits an offense if:

(1) a train of the railway company obstructs for more than 10 minutes a street, railroad crossing, or public highway; and

(2) as a result, an authorized emergency vehicle, as defined by Section 541.201, is prevented from taking the most direct route to an emergency.

(c) An officer charging a railway company for an offense under this section shall prepare in duplicate a citation to appear in court and deliver ~~[attach]~~ one copy of the citation to ~~[the train or deliver the copy to]~~ an employee or other agent of the railway company. The citation must show:

(1) the name of the railway company;

(2) the offense charged; and

(3) the time and place that a representative of the railway company is to appear in court.

SECTION 2. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before

1 the effective date of this Act if any element of the offense occurs
2 before that date.

3 (b) An offense committed before the effective date of this
4 Act is covered by the law in effect when the offense was committed,
5 and the former law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2007.